

**Vermont Department of Health  
Fall 2009**

**ASBESTOS IN SCHOOL BUILDINGS**

**Asbestos Hazards Emergency Response Act (AHERA)**

In 1986, the Asbestos Hazard Emergency Response Act (AHERA) was signed into law by the federal government, requiring public and private non-profit kindergarten through 12<sup>th</sup> grade schools to inspect their buildings for asbestos-containing building materials. The Environmental Protection Agency (EPA) only requires removal of asbestos to prevent significant public exposure during demolition or renovation. EPA does, however, require an in-place, proactive asbestos management program for all [local education agencies \(LEA\)](#) in order to ensure [asbestos-containing building materials \(ACBM\)](#) remain in good condition and are undisturbed by students, faculty, and staff.

Over the past decade, the New England states have conducted audits of school asbestos management plans in order to determine regulatory compliance. Several key requirements have been identified during the course of these inspections as critical to ensuring that the school asbestos management plan remains properly updated. The most common items cited for noncompliance are: three year re-inspections by a licensed inspector; yearly notification to parents, teachers, and employees regarding the availability of the asbestos management plan; six month periodic surveillance of all known or suspected asbestos-containing building materials; and two hour asbestos awareness training for maintenance and custodial staff within sixty days of hire.

In regards to new construction, an LEA can submit a signed statement from either the architect, project engineer, or an accredited inspector “that no ACBM was specified as a building material in any construction document for the building, or to the best of his or her knowledge, no ACBM was used as a building material in the building” in substitute for an inspection. However, this does not relinquish the requirement for the LEA to submit a management plan. All LEAs must submit management plans for all of their schools to the Vermont Department of Health for approval. For more information visit

<http://www.epa.gov/region02/ahera/>.

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